



Department of the Treasury Financial Crimes Enforcement Network

Advisory

FIN-2008-A005

Issued: April 28, 2008

Subject: Withdrawal of Advisories 21 and 21A Concerning Transactions Involving the Republic of Nauru

We are issuing this advisory to inform banks and other financial institutions operating in the United States that Financial Crimes Enforcement Network (“FinCEN”) Advisories 21 (issued in July 2000) and 21A (issued in January 2002), regarding the Republic of Nauru, are hereby withdrawn.

Since the issuance of Advisories 21 and 21A, Nauru has enacted significant reforms in its counter-money laundering system, addressing the points noted in both advisories, and has taken concrete steps to bring these reforms into effect. On October 13, 2005 the Financial Action Task Force (“FATF”) decided to remove Nauru from its list of countries and territories that are non-cooperative in the fight against money laundering. The FATF removed Nauru from that list after Nauru abolished its 400 shell banks, thus removing that major money laundering risk. Because of Nauru’s enactment of new laws, ongoing effective implementation, and in recognition of the actions taken by the FATF,¹ enhanced scrutiny with respect to transactions involving Nauru, as called for in Advisories 21 and 21A, is no longer necessary.

The withdrawal of Advisories 21 and 21A does not relieve financial institutions of their preexisting and ongoing obligation to report suspicious activity, as set forth in our regulations and those of the Federal banking regulatory agencies, as well as their obligation to comply with all other applicable laws and regulations.

¹ For the same reasons, on April 18, 2008, FinCEN withdrew the finding of Nauru as a jurisdiction of primary money laundering concern and the notice of proposed rulemaking recommending the imposition of the fifth special measure against Nauru. *See* 73 FR 21178-21180 (April 18, 2008).